

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Chikara MURAKATA et al.

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Group Art Unit: 1626

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Examiner: R. HAVLIN

For : MITOTIC KINESIN INHIBITOR

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§ 1.97-1.98, and supplemental to the Information Disclosure Statements previously filed on September 1, 2006, April 10, 2007 and May 10, 2007, Applicants direct the Examiner's attention to the following documents, which include documents cited in commonly assigned, co-pending patent applications, as well as the commonly assigned, co-pending applications themselves that have not previously been listed in an Information Disclosure Statement, and documents cited in an International Search Report or an International Preliminary Report on Patentability for an application to which a commonly assigned, co-pending application claims priority:

- (1) US Patent 5,643,911 (Yamada et al.) 07/01/97;
- (2) US Patent 6,545,030 (Barrett et al.) 04/08/03;
- (3) US Patent 6,992,082 (Finer et al.) 01/31/06;

- (4) US Patent 7,060,705 (Fraley et al.) 06/13/06;
- (5) US Patent 7,105,668 (Bergnes et al.) 09/12/06;
- (6) US Patent 7,119,089 (Finer et al.) 10/10/06;
- (7) US Patent 7,230,000 (Finer et al.) 06/12/07;
- (8) US 2004/0087548 (Salvati et al.) 05/06/04;
- (9) US 2004/0259826 (Fraley et al.) 12/23/04;
- (10) US 2005/0203110 (Coleman et al.) 09/15/05;
- (11) US 2006/0100161 (Hans et al.) 05/11/06;
- (12) US 2006/0111424 (Salvati et al.) 05/25/06;
- (13) US 2007/0213380 (Murakata et al.) 09/13/07;
- (14) US 2007/0254902 (Finer et al.) 11/01/07;
- (15) EP 1 004 241 (05/31/00);
- (16) EP 1 616 866 (01/18/06);
- (17) JP 8-34734 (02/06/96);
- (18) JP 2000-159756 (06/13/00);
- (19) WO 01/30768 (05/03/01);
- (20) WO 02/067939 (09/06/02);
- (21) WO 03/039460 (05/15/03);
- (22) WO 2004/039774 (05/13/04);
- (23) WO 2004/092147 (10/28/04);
- (24) WO 2004/111023 (12/23/04);
- (25) WO 2004/111024 (12/23/04);
- (26) WO 2005/035512 (04/21/05);

- (27) WO 2006/044825 (04/27/06);
- (28) WO 2006/101102 (09/28/06);
- (29) WO 2006/101103 (09/28/06);
- (30) WO 2006/137490 (12/28/06);
- (31) AGARWAL et al. *Nature Reviews Cancer* 3:502-16, 2003;
- (32) CA Registry No. 400873-00-9, indexed in Registry file on STN on March 14, 2002;
- (33) CA Registry No. 400833-35-4, indexed in Registry file on STN on March 14, 2002;
- (34) CA Registry No. 385382-44-5, indexed in Registry file on STN on January 22, 2002;
- (35) CA Registry No. 382174-71-2, indexed in Registry file on STN on January 11, 2002;
- (36) CA Registry No. 443105-88-2, indexed in Registry file on STN on August 8, 2002;
- (37) CA Registry No. 443105-51-9, indexed in Registry file on STN on August 8, 2002;
- (38) CA Registry No. 443105-41-7, indexed in Registry file on STN on August 8, 2002;
- (39) CA Registry No. 443105-34-8, indexed in Registry file on STN on August 8, 2002;
- (40) CA Registry No. 443105-23-5, indexed in Registry file on STN on August 8, 2002;

- (41) CA Registry No. 416841-95-7, indexed in Registry file on STN on May 16, 2002;
- (42) CA Registry No. 416841-94-6, indexed in Registry file on STN on May 16, 2002;
- (43) CA Registry No. 405925-80-6, indexed in Registry file on STN on April 18, 2002;
- (44) CA Registry No. 401945-66-2, indexed in Registry file on STN on March 20, 2002;
- (45) CA Registry No. 401945-63-9, indexed in Registry file on STN on March 20, 2002;
- (46) CA Registry No. 400873-06-5, indexed in Registry file on STN on March 14, 2002;
- (47) CA Registry No. 332055-94-4, indexed in Registry file on STN on April 23, 2001;
- (48) CA Registry No. 329689-25-0, indexed in Registry file on STN on April 2, 2001;
- (49) CA Registry No. 329689-21-6, indexed in Registry file on STN on April 2, 2001;
- (50) CA Registry No. 329689-19-2, indexed in Registry file on STN on April 2, 2001;
- (51) CA Registry No. 312597-81-2, indexed in Registry file on STN on January 3, 2001;
- (52) CA Registry No. 312597-80-1, indexed in Registry file on STN on January 3, 2001;
- (53) CA Registry No. 312597-79-8, indexed in Registry file on STN on January 3, 2001;
- (54) CA Registry No. 312597-76-5, indexed in Registry file on STN on January 3, 2001;

- (55) CA Registry No. 309927-68-2, indexed in Registry file on STN on December 20, 2000;
- (56) CA Registry No. 298218-65-2, indexed in Registry file on STN on October 23, 2000;
- (57) CA Registry No. 296801-28-0, indexed in Registry file on STN on October 18, 2000;
- (58) CA Registry No. 356773-74-5, indexed in Registry file on STN on September 14, 2001;
- (59) CA Registry No. 356773-69-8, indexed in Registry file on STN on September 14, 2001;
- (60) CA Registry No. 356773-42-7, indexed in Registry file on STN on September 14, 2001;
- (61) CA Registry No. 356773-31-4, indexed in Registry file on STN on September 14, 2001;
- (62) CA Registry No. 356773-11-0, indexed in Registry file on STN on September 14, 2001;
- (63) CA Registry No. 355435-20-0, indexed in Registry file on STN on September 10, 2001;
- (64) CA Registry No. 353466-59-8, indexed in Registry file on STN on August 29, 2001;
- (65) CA Registry No. 352225-16-2, indexed in Registry file on STN on August 21, 2001;
- (66) CA Registry No. 344872-11-3, indexed in Registry file on STN on July 8, 2001;

- (67) CA Registry No. 337501-59-4, indexed in Registry file on STN on May 23, 2001;
- (68) CA Registry No. 337501-55-0, indexed in Registry file on STN on May 23, 2001;
- (69) CA Registry No. 337501-53-8, indexed in Registry file on STN on May 23, 2001;
- (70) CA Registry No. 337501-51-6, indexed in Registry file on STN on May 23, 2001;
- (71) CA Registry No. 332389-30-7, indexed in Registry file on STN on April 25, 2001;
- (72) CA Registry No. 332389-28-3, indexed in Registry file on STN on April 25, 2001;
- (73) CA Registry No. 332389-25-0, indexed in Registry file on STN on April 25, 2001;
- (74) DAUB et al. *Nature Reviews Drug Discovery* **3**:1001-10, 2004;
- (75) English Language Abstract of JP 8-34734;
- (76) English Language Abstract of JP 2000-159756;
- (77) GOLUB et al. *Science* **286**:531-37, 1999;
- (78) GRACHEV et al. *Journal of Applied Spectroscopy* **67**(3):461-66, 2000;
- (79) *Jikken Igaku (Experimental Medicine)* **17**(4):439-44, 1999;
- (80) MOSES et al. *N. Engl. J. Med.* **349**(14):1315-23, 2003;
- (81) POWER et al. *J. Chem. Soc. Chem. Commun.* **8**:873-74, 1998;
- (82) ROSS, R. *Nature* **362**:801-09, 1993;
- (83) SAHA et al. *CA* **117**:171340, 1992;
- (84) SERRUYS et al. *N. Engl. J. Med.* **331**(8):489-95, 1994;
- (85) *Shin-Jikken-Kagaku-Koza* **14**:1142-45 (Maruzen 1978);
- (86) STONE et al. *N. Eng. J. Med.* **350**(3):221-31, 2004;

- (87) SU et al. *Proc. Natl. Acad. Sci. USA* **99**(7):4465-70, 2002;
- (88) TEMPLE et al. *J. Med. Chem.* **25**:1045-50, 1982;
- (89) Commonly assigned, co-pending U.S. Patent Application No. 11/909,289 (Murakata et al.) entitled "Therapeutic Agent for Solid Tumor," which is the National Stage Entry of PCT/JP2006/305645;
- (90) Commonly assigned, co-pending U.S. Patent Application No. 11/909,324 (Nakai et al.) entitled "Therapeutic Agent for Hematopoietic Tumor," which is the National Stage Entry of PCT/JP2006/305646;
- (91) Commonly assigned, co-pending U.S. Patent Application No. 11/993,757 (Nakai et al.) entitled "Therapeutic Agent for Restenosis," which is the National Stage Entry of PCT/JP2006/312531;
- (92) Commonly assigned, co-pending U.S. Patent Application No. 12/098,736 (Murakata et al.) entitled "Thiadiazoline Derivative," which is a divisional of National Stage U.S. Patent Application No. 10/497,531, now allowed;
- (93) YINGLIN et al. *Synthesis* **28**:615-18, 1990; and
- (94) ZELENIN et al. CA 119:202821, 1993.

Further to 37 C.F.R. §1.98 (a)(2)(ii) and the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R. §1.98 (a)(2)(iii) if the U.S. patent application was filed after June 30, 2003, copies of the U.S. patent publications and patent applications are not enclosed herewith. However, if any copy is needed, the Examiner is respectfully requested to contact the undersigned.

Applicants respectfully request that the Examiner consider the above material and cite the same. Copies of the above-listed documents, with exception of the U.S. patent documents, are

enclosed, and all of the documents are listed on an attached PTO-1449 Form. Copies of the International Preliminary Examination Report (in English and Japanese) for PCT/JP02/12961, the International Preliminary Report on Patentability including the Written Opinion (in English) for PCT/JP2004/008375, the International Search Report (in English) for PCT/JP2004/005489, the International Search Report (in English and Japanese) for PCT/JP2006/305645, the International Preliminary Report on Patentability including the Written Opinion (in English) for PCT/JP2006/305645, the International Search Report (in English and Japanese) for PCT/JP2006/305646, the International Preliminary Report on Patentability including the Written Opinion (in English) for PCT/JP2006/305646, the International Search Report (in English) for PCT/JP2006/312531, and the International Preliminary Report on Patentability including the Written Opinion (in English) for PCT/JP2006/312531 are also enclosed. The Examiner is respectfully requested to consider these documents and to indicate such consideration by returning a signed and initialed copy of the PTO-1449 Form with the next official communication.

Applicants note that an Office Action on the merits has not yet issued in the instant application, and thus, no fee is necessary to ensure consideration of this statement. However, if an Office Action has issued and is crossing in the mail with this statement, the Patent and Trademark Office is hereby authorized to charge Deposit Account No. 19-0089 any fee necessary to ensure consideration of the submitted materials.

If there are any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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